

OFFICE MEMORANDUM

Subject: Special benefits in cases of death and disability in service – payment of disability pension/family pension – relaxation of qualifying service-

The undersigned is directed to say that the scales of disability pension admissible under CCS (EOP) Rules were laid down in para 3 of Department of Pension & Pensioners' Welfare's O.M. No.45/22/97-P&PW(C) dated 3.2.2000. The said O.M. dated 3.2.2000 was modified vide Department of Pension & Pensioners' Welfare's O.M. No.45/3/2008-P&PW (F) dated 18-11-2008.

2. The service element of the disability pension under Categories 'B' and 'C' of this Departments' O.M. No.45/22/97-P&PW(C) dated 3.2.2000 is regulated by the CCS (Pension) Rules, 1972 and CCS (EOP) Rules, according to which only service gratuity is admissible to Government servants with less than 10 years qualifying service and pension is admissible for qualifying service of 10 years or more. The matter has been reviewed by the Government considering the hardships being faced by the disabled Govt. servants who have less than 10 years qualifying service at the time of discharge and it has been decided that the disability pension of Govt. servants who are discharged from Govt. service will be regulated as under:

Disability Pension – for cases covered under categories 'B' and 'C'

- (1) Disability pension comprising a service element equal to the retiring pension (@50% of the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to the Government servant) and gratuity admissible under the CCS(Pension) Rules, 1972, plus disability element equal to 30% of basic pay, for 100% disability. There shall be no condition of minimum qualifying service for earning service element. No service gratuity would be admissible. The condition of minimum of qualifying service of 5 years for payment of gratuity would continue to be admissible/applicable in accordance with Rule 50 of CCS (Pension) Rules, 1972.
- (2) For disability less than 100%, disability element of disability pension shall be reduced proportionately. In cases of disability pension where permanent disability is not less than 60%, the disability pension (i.e. total of service element plus disability element) shall not be less than 60% of the reckonable emoluments last drawn subject to a minimum of Rs. 7000/- per month.

Disability pension – For cases covered under Category 'D'

- (1) Disability pension comprising a service element equal to the retiring pension (@50% of the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to the Govt. servant) and gratuity to which the employee would have been entitled to on the basis of his pay on the date of invalidation but counting service up to the date on which he would have retired in the normal course and disability element equal in amount to normal family pension subject to the condition that the aggregate of the service and disability element shall not be less than 80% of the pay last drawn, for 100% disability. There shall be no condition of minimum qualifying service for earning service element. No service gratuity would be admissible.

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- (2) For lower percentage of disability, the disability element shall be proportionately lower as at present subject to the broad banding of percentage of disability as in OM dated 3/2/2000.

Disability pension – For cases covered under Category `E`

- (1) Disability pension comprising a service element equal to the retiring pension (@50% of the emoluments or average emoluments received during the last 10 months, whichever is more beneficial to the Govt. servant) and gratuity to which the employee would have been entitled to on the basis of his pay on the date of invalidation but counting service up to the date on which he would have retired in the normal course and disability element equal to pay last drawn. There shall be no condition of minimum qualifying service for earning service elements. No service gratuity would be admissible.

The condition that the aggregate of the service and disability elements shall not exceed the pay last drawn for 100% disability - stands withdrawn w.e.f. 1.7.2009.


- (2) For lower percentage of disability, the disability element shall be proportionately lower as at present subject to the broad banding of percentage of disability as in OM dated 3.2.2000.

3. Other terms and conditions in the CCS (EOP) Rules and Liberalized Pensionary Awards Scheme which are not specifically modified by these orders shall continue to remain operative.

4. These orders will be effective from 01.01.2006.

5. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide their U.O. No.515/EV/2010 dated 26.10.2010.

6. In so far as persons belonging to the Indian Audit & Accounts Department, these orders issue after consultation with the Comptroller & Auditor General of India.


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Director
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